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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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04/16/2001

Hyung C. Bae

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01/25/2005

PARK & SUTTON LLP

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EXAMINER

GARG, YOGESH C

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,766

Applicant(s)

BAE, HYUNG C.

Examiner

Yogesh C Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17,18 and 28-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17,18 and 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment received on 11/11/2004 is acknowledged and entered. The applicant has amended claim 17, added new claims 28-31 and cancelled claims 1-16, & 19-27. Currently claims 17-18 and 28-31 are pending for examination.

Response to Arguments

2. Applicant's arguments filed on 11/11/2004 (see Remarks, pages 2-3) concerning claims 10-18 and 28-31 have been fully considered but they are not persuasive for following reasons:

The applicant argues that online shopping and offline cleaning are conceptually very different and therefore it would not be obvious to combine these two different practices into one. The examiner disagrees because the concept of using and applying online communication via Internet and World Wide Web to accomplish various functions of ordering/messaging/communicating online and delivery and pick -up of packages/parcels/prepared orders in various fields which were earlier confined to offline activities, such as clothing, appliances, furniture, books, dry cleaning, groceries (see US Publication 20020067261 to Kucharczyk et al [see at least paragraph 0003 on page 1, & paragraph 0031 on page 4]. This reference is for evidence only) is well -known. Also refer to US Publication 20020032613 A1 to Buettgenbch et al (see at least paragraph 0073 on page 6. This reference is also for evidence only.), which discloses combining online services to purchase and provide goods/services from cafeterias/restaurants, convenience stores such as dry cleaners, gas stations, grocery suppliers, books suppliers, clothing suppliers, postage stamps suppliers, etc. which were earlier offline

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activities. In view of the evidence, as illustrated above, combining online shopping with offline services from dry-cleaners, gas stations, grocery suppliers, books suppliers, clothing suppliers, postage stamps suppliers, etc., existed at the time of the applicant's invention.

The applicant further argues (see remarks, page 3) that in reference Sheth, the term "customer" cannot be used to represent either a merchant or shopper because in Sheth the term "customer" means only item owner. The examiner does not agree because Sheth does not exclusively define "customer" as item owner but instead Sheth suggests that a customer, as generally known, is one to whom services of laundry and dry-cleaning are provided (see at least paragraph 0004, page 1) and therefore the examiner's interpretation of customer representing either merchant or a shopper is justified because both are using the service of cleaning clothes.

The applicant argues (see Remarks, page 3) concerning claim 17 that none of the cited references in the previous Office action disclose the limitations, "said online merchant crediting a cleaning charge to an account of the cleaner and said online merchant crediting a commission to an account of the online linker upon the confirmation receipt.". The examiner respectfully disagrees as he took an Official Notice to reject these limitations. The applicant has neither traversed the facts and benefits of the Official Notice, taken by the examiner, adequately nor asked for a documentary evidence. The applicant has not pointed out any errors in the reasoning of the examiner's use of the well-known fact to reject the above mentioned limitations or has not provided an evidence proving the reasoning of the examiner wrong. Therefore, the applicant's traverse of the examiner's assertion of the Official Notice is not adequate and as per *MPEP-2144.03 [R-1] C Reliance on Common Knowledge in the Art or "Well Known" Prior Art* -, the common knowledge or well-known fact considered as Official

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Notice in the art statement is taken to be admitted prior art and the rejection of the above mentioned limitations of claim 17 is maintained.

The examiner also took Official notice to reject the limitations of claims 11-13 and 16 (Note: the limitations of claims 11-12 are now incorporated in the newly added claims 28-29). The applicant has not pointed out any errors in the reasoning of the examiner's use of the well-known fact to reject the above mentioned limitations or has not provided any evidence proving the reasoning of the examiner wrong. Therefore, the applicant's traverse of the examiner's assertion of the Official Notice is not adequate and as per *MPEP-2144.03 [R-1] C Reliance on Common Knowledge in the Art or "Well Known" Prior Art* -, the common knowledge or well-known fact considered as Official Notice in the art statement is taken to be admitted prior art and the rejection of the above mentioned limitations of claims 28-29 is maintained.

In view of the foregoing, the rejection of claims 17-18 and 28-31 is maintained.

This is a Final rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3.1. Claims 17-18 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan in view of Sheth in view of Moreno and further in view of Official Notice.

Regarding claim 17, Srinivasan discloses a method for networking an online purchasing comprising the steps of: a) establishing a first website administered by an online linker and a second website administered by an online merchant, wherein the first website is connected to the second website by a click-through link, wherein the second website is an online store selling apparels and b) directing an online shopper from the first website to the second website in accordance with the click-through link (see paragraphs 0056-0062 on page 4, “ FIG. 7A is a screen capture showing a custom tailoring display 700A**The screen shot 700A may include various tabs 702A, representing categories of services offered by the service provider 704A. In addition, a category 708A and specialty 710A of tailors may be selected.FIGS. 8A-8F are screen captures showing an order from a custom tailor. When a customer clicks on a tailor, the customer may be redirected to the custom tailor's website. The custom tailor may be a partially cooperating custom tailor (PCCT) of the service provider. The customer may order a garment from the custom tailor site as if they were not a service provider customer. Otherwise, they may order a garment as a service provider customer. FIG. 8A is a screen capture showing a web page of a custom tailor. The tailor's name and location 802A are displayed at the top of the page.**”. Note: The service provider 704A corresponds to first website and the tailor's website corresponds to the second website of the merchant as claimed.)

Srinivasan does not disclose offline cleaning so that said online merchant dispatches one or more apparels ordered through the second website by the online shopper to a cleaner, said cleaner pressing the apparels from the online merchant, and said cleaner dispatching the pressed apparels to the online shopper. However, Sheth

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teaches offline cleaning so that said online merchant dispatches one or more apparels ordered through the second website by the online shopper to a cleaner, said cleaner pressing the apparels from the online merchant, and said cleaner dispatching the pressed apparels to the online shopper (see at least paragraphs 0004-0007 on page 1,

"...Conventional laundry and dry-cleaning services have been available for many years.

Typically, a customer delivers garments in need of cleaning and/or pressing to the dry-cleaner or launderer and picks the garments up in one to three days. The dry-cleaner's service offerings include cleaning,, and pressing. In either case, the customer is expected to pick-up and drop off their garments. ...Accordingly, there is a need to provide an all-inclusive fabric, textile, and leather care service that provides a high degree of customization for individual needs while requiring minimum involvement on the consumer's part. ... The present invention fulfills the needs identified above by providing a method of treating all fabric, textile, and leather items in a highly customizable manner Once the customer transmits their specific instructions and personal preferences to the service provider, the customer can relax as their laundry and dry-clean items are picked up at a desired time from a desired place, treated by the service provider, in the exact manner they requested, and dropped off at a desired time and at a desired place.

" . Here, Seth explicitly discloses that the practice of dropping/sending garments at the cleaners for cleaning and pressing of clothes/garments/apparels is well-known and old, and is conventional so that the clothes/garments/apparels look good and creased for putting them on and those services are provided to drop these clothes to the customer's destination. The customer can be anyone that is a merchant or a shopper. The merchant can drop or dispatch apparels at cleaners for pressing of clothes and the cleaners can dispatch the pressed clothes at the desired destination belonging to a shopper of the merchant). In view of Sheth, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to have modified Srinivasan to incorporate the feature of offline cleaning so that said online merchant

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(who is a customer of a cleaner) dispatches one or more apparels ordered through the second website by the online shopper to a cleaner, said cleaner pressing the apparels from the online merchant, and said cleaner dispatching the pressed apparels to the online shopper, as suggested in Sheth, because it would enable the customer/shopper he could put them on right away to attend a wedding function or a similar ceremony without having to worry or wait to get the apparels/garments/clothes pressed himself after receiving them from the merchant.

Srinivasan does not disclose a step of said cleaner sending to the online merchant a confirmation of the pressed apparel receipt by the online shopper. However, in the same field of coordinating delivery of goods to consumers via a third party medium, Moreno teaches the step of said cleaner sending to the online merchant a confirmation of the pressed apparel receipt by the online shopper (see at least paragraph 0066, page 8, “ ...Upon delivering/picking-up of the goodsthe system then notifies the server[Block 426] and the customer of the goods delivery/pick-up.....The notification may come via any communications system.....”. Note: This shows that the concept of notifying the sender of the goods [corresponds to the merchant in the applicant's application] that goods have reached the destination [corresponds to the online shopper in the applicant's application] is known and is a prior art. In view of Moreno, it would be obvious to person of an ordinary skill in the art to have modified Srinivasan to incorporate the feature of said cleaner sending to the online merchant a confirmation of the pressed apparel receipt by the online shopper because that will enable the sender who could be a merchant or a gift giver, etc to feel satisfied that the item sent by him/her/them has reached the desired destination.

Srinivasan/Sheth/Moreno does not disclose that said online merchant crediting a cleaning charge to an account of the cleaner and said online merchant crediting a

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commission to an account of the online linker upon the confirmation receipt. The examiner takes Official notice of the concept and facts of that said online merchant crediting a cleaning charge to an account of the cleaner and said online merchant crediting a commission to an account of the online linker upon the confirmation receipt for the obvious reasons of paying them for the services provided by the cleaner by way of cleaning and pressing clothes and the linker by way of referring a customer. It is notoriously well-know that one has to pay for the services he seeks from the service providers and to close the account for those services after making the payment. In view of the Official notice, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to have modified Srinivasan in view of Sheth and further in view of Moreno to incorporate the feature of that said online merchant crediting a cleaning charge to an account of the cleaner and said online merchant crediting a commission to an account of the online linker upon the confirmation receipt because it would enable the merchant to close the transactions by paying the cleaner and the linker for services provided by them and then to look forward to receiving services in the future for similar requirements.

Regarding claim 18, Sheth discloses that dispatching of the pressed apparels to the online shopper is implemented either by the cleaner's delivery or by the online shopper's pickup (see at least (paragraph 0005 on page 1, "*.....the customer is expected to pick-up and drop off their garments..* ", and paragraph 0007 on page 1, "*..Once the customer transmits....the laundry and dry-clean items are picked up.....and dropped off at a desired time and a desired place...* "). In view of Sheth, it would have been obvious to a person of an ordinary skill in the art of cleaning clothes to modify Srinivasan such that dispatching of the pressed apparels to the online shopper is implemented either by the

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cleaner's delivery or by the online shopper's pickup because the ordered items can be acquired by the shopper either by getting them picked up or by getting them delivered to his place.

Regarding claims 28-29, Srinivasan further discloses a selectable apparel list (see at least paragraph 0062 on page 4 wherein the tailor's website [the tailor's website corresponds to the second web site] displays a selectable clothing list in the form of blouses 808A, pants 810A and so on). Srinivasan further discloses connecting to multiple merchants (see at least paragraph 0047 and paragraph 0053 on page 3) and these merchants can provide different types of services such as sending data about the apparel to a manufacturer and after getting it manufactured it is delivered to the user/shopper. Srinivasan in view of Seth as applied to claim 17 does not disclose a selectable list of cleaners. The examiner takes Official notice of the concept and facts of providing a selectable service providers list including cleaners for the obvious reason of helping the shopper to select a service provider including a cleaner who is geographically located nearest to him so that it will be convenient for him to pick up the ready order or pressed clothes. In view of the Official notice, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to have modified Srinivasan in view of Sheth as applied to claim 17 to incorporate the feature of providing a selectable list of cleaners because it will help the user to select a cleaner who is nearest to him as explained above.

Srinivasan in view of Sheth further discloses to check out while ordering items (see Srinivasan at least paragraph 0060 on page 4) but does not disclose a payment determiner on the second website of the merchant and that the payment process is carried out cryptographically via a credit card payment. The examiner takes Official

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notice of the concept and facts of including a payment determiner and that the payment process is carried out cryptographically via a credit card payment for the obvious reason of helping the merchant to close the deal and realize the payment such that the confidential details of the user relating to the credit card are safeguarded from fraudulent use. In view of the Official notice, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to have modified Srinivasan in view of Sheth as applied to claim 17 to incorporate the feature of including a payment determiner and that the payment process is carried out cryptographically via a credit card payment because it would enable the merchant to close the deal and realize the payment and also that the confidential details of the user relating to the credit card are safeguarded from fraudulent use.

Regarding 30-31, Sheth discloses a) washing the apparels from the online merchant; b) drying the washed apparels; and c) ironing the dried apparels and thereafter comprising a step of bagging the ironed apparels either on hanger or in box (see at least paragraph 0019 on page 2, "*..... These can include instructions regarding....cleaning,...pressing.....and combination thereof.....* "). Note: the apparels which are washed and cleaned by a launderer will also include drying the clothes before pressing. For bagging the ironed apparels on hanger or in box see paragraphs 0004 and 0005 on page 1, "*..... The finishes garments are typically hung on hangars and folded.....The launderer typically washes...folds them, and packages them in a plastic bag.....* "). In view of Sheth, as shown above it would have been obvious to a person of an ordinary skill in the art of cleaning clothes to modify Srinivasan to incorporate the features of a) washing the apparels from the online merchant; b) drying the washed apparels; and c) ironing the dried apparels and thereafter comprising a step of bagging

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the ironed apparels either on hanger or in box because the steps of washing drying and pressing are inherently required when clothes are given for cleaning/washing and pressing to dry-cleaners and launderers and are then packaged for the convenience of carrying them so that the cleaned and pressed clothes are not spoiled or subjected to wrinkles.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Yogesh C Garg', with a horizontal line underneath.

Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
January 20, 2005